National Labor Relations Board Weekly Summary of NLRB Cases



Miscellaneous Board Orders

Division of Information	Washington, D.C. 20570	Tel. (202) 273-1991

June 30, 2006 W-3058

<u>CASES SUMMARIZED</u> VISIT WWW.NLRB.GOV FULL TEXT

Supervalu Holdings, Inc. d/b/a		
Bigg's Foods	Cincinnati, OH	1

OTHER CONTENTS

<u>List of Decisions of Administrative Law Judges</u>	1
List of Unpublished Board Decisions and Orders in Representation Cases	3
Contested Reports of Regional Directors and Hearing Officers	
Uncontested Reports of Regional Directors and Hearing Officers	
 Requests for Review of Regional Directors' Decisions and Directions of 	
Elections and Decisions and Orders	

- Press Releases (R-2590): Martha Kinard Named Regional Director of NLRB's Fort Worth, TX Regional Office
 - (R-2591): Joseph Barker Named Regional Director of NLRB's Chicago, IL Regional Office
 - (<u>R-2592</u>): Irving Gottschalk Named Regional Director of NLRB's Milwaukee, WI Regional Office
 - (<u>R-2593</u>): Michael Josserand Named Regional Director of NLRB's Denver, CO Regional Office
 - (R-2594): Robert Chester Named Regional Director of NLRB's Minneapolis, MN Regional Office
 - (R-2595): NLRB Asserts Jurisdiction Over a Private Company Providing Passenger and Baggage Screening Services

The Weekly Summary of NLRB Cases is prepared by the NLRB Division of Information and is available on a paid subscription basis. It is in no way intended to substitute for the professional services of legal counsel, or for the authoritative judgments of the Board. The case summaries constitute no part of the opinions of the Board. The Division of Information has prepared them for the convenience of subscribers.

If you desire the full text of decisions summarized in the Weekly Summary, you can access them on the NLRB's Web site (<u>www.nlrb.gov</u>). Persons who do not have an Internet connection can request a limited number of copies of decisions by writing the Information Division, 1099 14th Street, NW, Suite 9400, Washington, DC 20570 or fax your request to 202/273-1789. As of August 1, 2003, Administrative Law Judge decisions are on the Web site.

All inquiries regarding subscriptions to this publication should be directed to the Superintendent of Documents, U. S. Government Printing Office, Washington, DC 20402, 202/512-1800. Use stock number 731-002-0000-2 when ordering from GPO. Orders should not be sent to the NLRB.

Supervalu Holdings, Inc. d/b/a Bigg's Foods (9-CA-39206, et al.; 347 NLRB No. 39) Cincinnati, OH June 23, 2006. The Board adopted the administrative law judge's finding that the Respondent violated Section 8(a)(1) of the Act by orally amending its written no-distribution rule in response to its off-duty employees' union handbilling activities and prohibiting off-duty employees from distributing union handbills to customers, and violated Section 8(a)(3) and (1) by disciplining employees Amy Roberson, Helen Reardon, and Karen Brown. [HTML] [PDF]

In the absence of exceptions, the Board approved the judge's findings that the Respondent violated Section 8(a)(1) by tape recording a conversation with and interrogating an employee on Feb. 26, 2002; promulgating a rule prohibiting employees from wearing union pins during working time; and maintaining and enforcing a rule prohibiting employees from entering its facilities (unless shopping) more than 10 minutes prior to the start of their scheduled shift or remaining for more than 10 minutes after the end of their scheduled shifts; and violated Section 8(a)(3) and (1) by suspending employee Tina Morgan on March 8, 2002.

(Members Liebman, Kirsanow, and Walsh participated.)

Charges filed by Food & Commercial Workers Local 1099; complaint alleged violation of Section 8(a)(1) and (3). Hearing at Cincinnati, April 28-May 1 and June 2-3, 2003. Adm. Law Judge Arthur J. Amchan issued his decision Sept. 23, 2003.

LIST OF DECISIONS OF ADMINISTRATIVE LAW JUDGES

John Kopp and Natalie Kopp d/b/a N & J Construction, a sole proprietorship (Bricklayers Michigan Local 9) Metamora, MI June 22, 2006. 7-CA-49046; JD-45-06, Judge Bruce D. Rosenstein.

Valerie Manor, Inc. (New England Health Care Employees District 1199, SEIU) Torrington, CT June 23, 2006. 34-CA-11162, 11236, 34-RC-2116; JD(NY)-28-06, Judge Howard Edelman.

California Offset Printers, Inc. (Graphic Communications Workers Local 404M, Teamsters) Glendale, CA June 23, 2006. 31-CA-27673, 27679; JD(SF)-35-06, Judge Lana H. Parke.

LIST OF UNPUBLISHED BOARD DECISIONS AND ORDERS IN REPRESENTATION CASES

(In the following cases, the Board considered exceptions to and adopted Reports of Regional Directors or Hearing Officers)

DECISION AND ORDER [remanding to Regional Director for further appropriate action]

PSC Industrial Outsourcing, Inc., Bridgeport, CT, 34-RC-2145, June 21, 2006 (Chairman Battista and Members Liebman and Walsh)

(In the following cases, the Board adopted Reports of Regional Directors or Hearing Officers in the absence of exceptions)

DECISION AND DIRECTION [that Regional Director open and count challenged ballots]

Pflueger Auto Group, LLC, Honolulu, HI, 37-RC-4120, June 20, 2006 (Chairman Battista and Members Liebman and Walsh)

DECISION AND CERTIFICATION OF RESULTS OF ELECTION

Red & Tan Charter, Inc., Elizabeth, NJ, 22-RD-1435, June 21, 2006 (Chairman Battista and Members Liebman and Walsh)

DECISION AND ORDER [remanding to Regional Director for further appropriate action]

Amerigas Propane, Goshen and Warsaw, IN, 25-RC-10332, June 22, 2006 (Chairman Battista and Members Liebman and Walsh)

(In the following cases, the Board granted requests for review of Decisions and Directions of Elections (D&DE) and Decisions and Orders (D&O) of Regional Directors)

Millennium Maintenance & Electrical Contracting, Inc., Brooklyn, NY, 29-RC-11276, June 21, 2006 (Members Schaumber, Kirsanow, and Walsh)

(In the following cases, the Board denied requests for review of Decisions and Directions of Elections (D&DE) and Decisions and Orders (D&O) of Regional Directors)

Puerto Rico Telephone Co., Inc., San Juan, PR, 24-UC-226, June 21, 2006 (Chairman Battista and Members Liebman and Walsh)

DLC Corp. d/b/a Tea Party Concerts and/or Live Nation, Cambridge, MA, 1-RC-22005, June 21, 2006 (Chairman Battista and Members Liebman and Walsh)

Tyson Foods, Inc., Fort Worth, TX, 16-RC-10726, June 21, 2006 (Chairman Battista and Members Liebman and Walsh)

Miscellaneous Board Orders

ORDER [affirming Regional Director's refusal to process Petitioner's objections]

Cooperativa de Ahorro y Credito de Isabela, Isabela, PR, 24-RC-8489, June 21, 2006 (Chairman Battista and Members Liebman and Walsh)

ORDER [denying motion to present oral argument]

Croft Metals, Inc., McComb, MS, 15-RC-8393, June 23, 2006
Beverly Enterprises-Minnesota, Inc. d/b/a Golden Crest Healthcare Center, Hibbing, MN 18-RC-16415, June 23, 2006
Oakwood Healthcare, Inc., Taylor, MI, 7-RC-22141, June 23, 2004
